

BOARD FOR BRANCH PILOTS MEETING

MINUTES

The Virginia Board for Branch Pilots met on Friday, February 2, 2007, at the Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia, with the following members present:

Captain Robert H. Callis, III
Bruce R. Cherry
Captain J. William Cofer
Captain Milton B. Edmunds
Robert T. Hasler, Jr.
William M. Martin, III
Captain W. Hugh McCrory, Jr.
Meade G. Stone, Jr.

Staff present for the meeting was:

Nick Christner, Deputy Director of Compliance and Investigations Division (CID)
Marian H. Brooks, Program Administrator

Cynthia Norwood, Assistant Attorney General, was present at the meeting.

Finding a quorum of the Board present, Mr. Hasler, President, called the meeting to order at 9:30 a.m.

Call to Order

Mr. Cherry moved to approve the agenda as written. Mr. Martin seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Martin, McCrory, and Stone.

Approval of Agenda

Mr. Martin moved to approve the minutes from the December 11, 2006, Board meeting as amended. Captain Callis seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Martin, McCrory, and Stone.

Approval of Minutes

Captain Callis provided the Board with a report of the examinations conducted by the Examination Administrators on February 1, 2007. The following report was made:

Examination Administrators Report

Chadwick M. Jamison

Captain Jamison answered oral questions related to the extension of route from the James River Bridge to Richmond, Virginia, upon the James River. The subjects included courses and distances from the James River Bridge to Richmond, local traffic, safe anchoring positions, docking and undocking

situations, bridge passage procedures and safe vessel speed. Captain Jamison stood a good examination and was found to be qualified. Captain Callis moved that Captain Jamison be granted an extension of route from the James River Bridge to Richmond, Virginia, upon the James River. Mr. Cherry seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Martin, McCrory, and Stone.

Clarence M. Young

Captain Young answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven and Sewell's Point, bank suction and cushion, vessel squat, overtaking situations, and safe vessel speed. Captain Young stood a good examination and was found to be qualified. Captain Callis moved that Captain Young be raised from the Foxtrot classification (550 ship units and 35 feet maximum draft or 375 ship units and 38 feet maximum draft) to the Golf Classification (625 ship units and 38 feet maximum draft or 450 ship units and 42 feet maximum draft). Mr. Cherry seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Martin, McCrory, and Stone.

Torrence A. Rogers

Captain Rogers answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven and Sewell's Point, bank suction and cushion, vessel squat, overtaking situations, and safe vessel speed. Captain Rogers stood a good examination and was found to be qualified. Captain Callis moved that Captain Rogers be raised from the Foxtrot classification (550 ship units and 35 feet maximum draft or 375 ship units and 38 feet maximum draft) to the Golf Classification (625 ship units and 38 feet maximum draft or 450 ship units and 42 feet maximum draft). Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Martin, McCrory, and Stone.

Jacob R. Johnson

Captain Johnson answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven and Sewell's Point, bank suction and cushion, vessel squat, overtaking situations, and safe vessel speed. Captain Johnson stood a good examination and was found to be qualified. Captain Callis moved that Captain Johnson be raised from the Delta classification (400 ship units and 31 feet maximum draft) to an Echo classification (475 ship units and 33 feet maximum draft). Mr. Stone seconded the motion which was unanimously approved by Messrs. and

Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Martin, McCrory, and Stone.

Joseph R. McKnew

Captain McKnew answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven and Sewell's Point, bank suction and cushion, overtaking situations, dock master issues and safe vessel speed. Mr. McKnew stood a good examination and was found qualified. Captain Callis moved that Captain McKnew be raised from the Bravo classification (300 ship units and 225 feet maximum draft or 225 ship units and 27 feet maximum draft) to a Charlie classification (325 ship units and 29 feet maximum draft). Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Martin, McCrory, and Stone.

Captain Callis recused himself from the meeting and left the room.

Recusal of Captain
Callis

The Board reviewed a letter from Captain Robert H. Callis, III, dated December 26, 2006, regarding an incident involving the M/V THOR SHANGHAI.

Captain Robert H.
Callis, III, M/V
THOR
SHANGHAI

On December 21, 2006 Captain Callis was ordered to sail the M/V THOR SHANGHAI from Perdue South to sea at 1530. The M/V THOR SHANGHAI (IMO #8502470) is a Norwegian flagged twin hatch bulk carrier with two deck cranes. The vessel was built in 1985. The main propulsion is a 6,000hp diesel engine with a variable pitch propeller. The M/V THOR SHANGHAI has a length overall of 113.0 meters and the maximum breadth is 18.9 meters with a deadweight of 9,514. The M/V THOR SHANGHAI was loaded with a combination of corn and soybean meal. The maximum draft was 25' 6", even keel.

After arriving on board at 1500, Captain Callis requested and received clearance from JHOC to get underway and proceed to sea. Captain Callis reviewed the pilot card information and discussed the voyage plan with the captain of the vessel. Also present was the dockmaster, Mark Scanlon. Two towboats, the CAPE HATTERAS and the TOWN POINT, were assigned to assist with the undocking maneuver and escort through the Southern Branch of the Elizabeth River.

The weather was mild and calm with clear visibility. It was the last of the ebb. Maximum ebb current was at 1306 in the Southern Branch.

The undocking evolution and outbound transit went as planned. The vessel proceeded on a slow ahead bell with a speed of 5.5 knots. After passing the BAE shipyard, Captain Callis relieved the dockmaster and took over the

conn. Shortly after the dockmaster disembarked the vessel, Captain Callis began to turn into Town Point Reach using ten degrees port rudder. At that time an engine alarm sounded (1630). Captain Callis was notified of a main engine failure. The variable pitch vessel stopped swinging to port and steadied. Captain Callis ordered hard to port rudder. The vessel was unresponsive to the rudder and was heading towards Waterside Marina. A few attempts to immediately restart the engine were unsuccessful. Captain Callis instructed the master to have the crew on the bow stand by both anchors. Aware that this part of the river is a cable area, Captain Callis wanted to avoid using the anchors, if at all possible. Captain Callis quickly notified the tug TOWN POINT. The tug turned around and came alongside the starboard bow. Captain Callis instructed the tug to "come ahead full," in order to redirect the vessel's heading away from the shore. Captain Callis also notified the tug CAPE HATTERAS of the emergency and they returned to assist.

With the assistance of the tugs, Captain Callis was able to control the vessel. Once the vessel's headway was stopped, the crew continued to diagnose and remedy the engineering problem. After the risk of danger had passed, Captain Callis contacted the USCG Marine Safety Office (around 1700) and advised them of the status. Captain Callis then contacted the agent, T. Parker Host. As time passed it became obvious the vessel would need to be towed to an anchorage or berth for repairs. The agent made arrangements for berthing at Pier N. The dockmaster, Mark Scanlon, came back on board from the tug CAPE HATTERAS. Mr. Scanlon positioned the tugs for a dead ship tow. At 1730 the vessel was under tow and proceeding towards Pier N. The vessel safely docked at 1830.

Captain Callis advised the captain of the vessel of the strong possibility of a visit from the USCG; and the likelihood that any repairs would need to be approved by a marine surveyor. Captain Callis left the vessel at 1840.

After discussion, Mr. Martin moved that the letter be filed and that the Board take no action, as there appears to be no violation of the Board's rules, regulations, or statutes. Mr. Cherry seconded the motion which was unanimously approved by Messrs. and Captains: Cherry, Cofer, Edmunds, Hasler, Martin, McCrory, and Stone.

Captain Callis returned to the meeting.

Ms. Brooks updated the Board as to the status of House Bill 2522 and Senate Bill 992. This legislation would amend § 54.1-909 of the *Code of Virginia* as requested by the Board at its meeting on July 28, 2006. The Board requested that this matter be placed on the next agenda for further update.

Return of Captain Callis

Review of HB 2522 and SB 992

Mr. Cherry moved to adopt the following resolution to honor the years of dedicated service by former Board member Judge Edgar A. Massenburg to the Board:

**Consideration of
Resolutions**

RESOLUTION IN HONOR OF

The Honorable Edgar A. Massenburg

WHEREAS, **Judge Edgar A. Massenburg** did faithfully and diligently serve as a member of the Virginia Board for Branch Pilots from September 1986 to January 2007; and

WHEREAS, **Judge Edgar A. Massenburg** did devote generously of his time, talent and leadership to the Board; and

WHEREAS, **Judge Edgar A. Massenburg** did at all times render decisions with fairness and good judgment so as to promote and preserve the best interests of our citizens and the profession of piloting in Virginia; and

WHEREAS, the Virginia Board for Branch Pilots acknowledges its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, this second day of February 2007, that the Virginia Board for Branch Pilots expresses utmost regard and respect for **Judge Edgar A. Massenburg** and his professional legacy to this Board; and, so that all may know of the Board's depth of its expression, it is ORDERED that this resolution be spread upon the official minutes of the Board and that a copy hereof be presented to **Judge Edgar A. Massenburg**.

Mr. Martin seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Martin, McCrory, and Stone.

Mr. Martin moved to adopt the following resolution in memory of former Board member P. Warren Spratley, Jr.:

RESOLUTION IN MEMORY OF

P. Warren Spratley, Jr.

WHEREAS, **P. Warren Spratley, Jr.**, faithfully and diligently served as a member of the Virginia Board for Branch Pilots from October

1979 to November 2004; and

WHEREAS, **P. Warren Spratley, Jr.**, devoted generously of his time, talent and leadership to the Board; and

WHEREAS, **P. Warren Spratley, Jr.**, endeavored at all times to render decisions with fairness and good judgment in the best interest of the citizens of the Commonwealth and this profession; and

WHEREAS, the Virginia Board for Branch Pilots is grateful for the dedication and service of **P. Warren Spratley, Jr.**, to the Board and to the citizens of the Commonwealth; and

WHEREAS, the Virginia Board for Branch Pilots mourns the death of **P. Warren Spratley, Jr.**, which occurred on January 26, 2007;

NOW THEREFORE BE IT RESOLVED, this second day of February 2007, that the Virginia Board for Branch Pilots expresses utmost regard and respect for **P. Warren Spratley, Jr.**, and his professional legacy; and, so that all may know of the Board's depth of sorrow and its expression of sympathy, it is ORDERED this resolution be spread upon the official minutes of the Board and that a copy hereof be presented to the family of **P. Warren Spratley, Jr.**

Captain Callis seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Martin, McCrory, and Stone.

The Board members were provided with a copy of a letter from the United States Coast Guard (USCG) dated January 10, 2007, that was sent to the Virginia Pilot Association regarding immediate reporting of marine casualties and hazardous conditions by pilots. Captain Cofer stated that a response was being sent to the USCG from the Virginia Pilot Association and that he would provide a copy of that letter to the Board members. After discussion, Mr. Cherry moved that Ms. Norwood prepare a response from the Board to the letter from the USCG. Mr. Martin seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Hasler, Martin, McCrory, and Stone.

Other Business

Ms. Brooks provided the Board members with an article from the January 29, 2007, edition of the *Richmond Times Dispatch* about the Port of Richmond.

Ms. Brooks informed the Board members that the lower fees adopted by the Board at its last meeting would become effective on March 1, 2007.

Mr. Hasler informed the Board that he had submitted his letter of resignation from the Board to the Circuit Court of Norfolk and that his resignation would be effective as of midnight, February 2, 2007.

Conflict of Interest forms were completed by all members present.

**Conflict of Interest
Forms**

There being no further business, the meeting was adjourned at 10:30 a.m.

Adjourn

Robert T. Hasler, Jr., President

Jay W. DeBoer, Secretary